

EXHIBIT 2

From: DeSantis, Camillo R CIV (US) DeCA HQ GC [mailto:Camillo.DeSantis@deca.mil]
Sent: Monday, May 23, 2011 2:52 PM
To: Bruce Shirk
Subject: Defense Commissary Agency Freedom of Information Act Request 11-109

W. Bruce Shirk
Sheppard Mullin Richter & Hampton LLP
1300 I Street, NW
11th Floor East
Washington, DC 20005-3314

Via e-mail to bshirk@sheppardmullin.com

Dear Mr. Shirk

This letter is in reference to your Freedom of Information Act (FOIA) request dated May 19, 2011, for records pertaining to contract HC1013-08-D-0034. The Defense Commissary Agency has determined that the cost for searching for responsive documents will exceed the \$100.00 you indicated you were willing to pay for the processing of your request.

We estimate that the cost to search for responsive records will be approximately \$7,040.00. This estimate is based on approximately 160 hours of search and review time at the rate of 44.00 per hour. This estimate does not include the cost of reproducing documents since we have no way of estimating how many documents, if any, would need to be copied until the search is completed and this additional cost, if necessary, will be assessed upon delivery of the requested documents.

Therefore, the Defense Commissary Agency requests that you pay the estimated fee of \$4,400.00 prior pursuant to 5 U.S.C. §552(a)(4)(v) because that estimated cost exceeds \$250.00. Please make your check or money order payable to the "Treasury of the United States" and send it to the Office of General Counsel, Defense Commissary Agency, 1300 E Avenue, Ft. Lee, VA 23801. Please reference "FOIA-11-109 prepayment" on your remittance.

Also, please be advised, in compliance with FOIA regulations, the 20-day business time frame for processing your FOIA request does not commence until payment is received. Once payment is received the processing of your request will begin. However, I have also been advised that due to the extent of your request, it may take several months to locate all responsive documents, review them for releasability and provide them to you if they are, in fact, deemed releasable. If payment or other

communication is not received within 30 calendar days from the date of this fee notification letter, your FOIA request will be considered "closed."

Please be aware that not all responsive documents are necessarily releasable under the FOIA. If you have any questions about your request or the Agency's FOIA regulations or procedures, please do not hesitate to contact me at 804-734-8000 Ext. 4-8116 or via e-mail at camillo.desantis@deca.mil.

Sincerely,

Camillo R. DeSantis
Freedom of Information Act Officer
Office of General Counsel
Defense Commissary Agency